

HIGHWAYS, WALES

200- No

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (WEST PARADE AND QUAY STREET, RHYL, DENBIGHSHIRE) ORDER 200-

Made 200-

Coming Into Force 200-

The Welsh Ministers make this Order in exercise of their powers under section 247 of the Town and Country Planning Act 1990(1) (hereinafter referred to as "the Act of 1990") and of all other enabling powers(2).

1. In this Order: -

“the Council” (“*y Cyngor*”) means the Denbighshire County Council;

“the deposited plan” (“*y plan a adnewwyd*”) means the map entitled “The Stopping Up of Highways (West Parade and Quay Street, Rhyl, Denbighshire) Order 200-” which accompanies this Order;

“the developer” (“*y datblygwr*”) means the person carrying out the development for which the planning permission referred to below has been given.

2. Subject to the provisions of articles 3, 4 and 5 of this Order, the Welsh Ministers authorise the stopping up of the areas of highway described in Schedule 1 to this Order and shown with zebra hatching on the deposited plan, being satisfied that the stopping up is necessary to enable the development described in Schedule 3 to be carried out in accordance with planning permission granted under Part III of the Act of 1990 by the Council on 27 November 2007 under reference 45/2006/1200/PF.

3. There shall be created, to the reasonable satisfaction of the Council, the new highways described in Schedule 2 to this Order and shown by stipple marking on the deposited plan, which are to be highways which, for the purposes of the Highways Act 1980(3) are highways maintainable at the public expense and the Council is to be the highway authority for them.

4. The areas of highway described in the Schedule 1 to this Order may not be stopped up until:-

(a) the developer has provided the new highway described in article 2 of the Order to the reasonable satisfaction of the Council;

(b) the developer has provided, to the reasonable satisfaction of the Council, plans showing the means whereby the areas of highway are to be stopped up;

(c) the development referred to in Schedule 3 of this Order has commenced and the developer has informed the Council in writing of the necessity to close the areas of highway to allow the development to proceed; and

(d) the Council has confirmed in writing to the developer that the provisions of (a), (b) and (c) of this article have been fulfilled.

5. Where immediately before the area of highway is stopped up in pursuance of this Order there is under, in, on, over, along or across that highway any apparatus of statutory undertakers or public communications providers then, (subject to section 261(4) of the Act of 1990), the undertakers or providers are to continue to have the same rights in respect of the apparatus as they had before the stopping up.

6. If the development referred to in Schedule 3 of this Order has not begun within the relevant period specified in Part III of the Act of 1990 as being the duration of the planning permission or the permission is revoked before the end of such period, this Order will cease to have effect upon cessation of the planning permission

7. This Order will come into operation on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act of 1990. The title to this Order is ‘‘The Stopping Up of Highways (West Parade and Quay Street, Rhyl, Denbighshire) Order 200-‘’.

Signed under authority of the Minister for the Economy and Transport, one of the Welsh Ministers.

Dated 200-

S C SHOULER

Director of Transport Planning and Administration
Welsh Assembly Government

(1) 1990 c.8.

(2) By virtue of S.I.1999/672, article 2 and Schedule 1, these powers are now conferred upon the Welsh Ministers in relation to Wales.

(3) 1980 c.66

SCHEDULE 1

(All measurements are approximate)

Description of the areas of highway to be stopped up under this Order

An irregular length of highway being part of West Parade, from its junction with Wellington Road to its junction with Sydenham Avenue, with a maximum length of 451 metres and a maximum width of 90 metres and labelled A and shown in zebra hatching on the deposited map.

An irregular length of highway being part of Quay Street, from its junction with West Parade in a southerly direction for a distance of 59 metres and a maximum width of 29 metres and labelled B and shown in zebra hatching on the deposited map.

An irregular shaped area of highway being part of Quay Street, from its junction with Wellington Road in a northerly direction for a distance of 54 metres and a maximum width of 48 metres and labelled C and shown in zebra hatching on the deposited map.

SCHEDULE 2

Description of the length of new highway to be provided

An irregular length of highway from the junction of West Parade and Sydenham Avenue in a generally south-westerly direction to join Wellington Road 115 metres east of the roundabout at the junction between West Parade and Wellington Road, for a distance of 382 metres and a maximum width of 90 metres and shown in stipple marking on the deposited map.

SCHEDULE 3

Proposed Development

Demolition and Redevelopment of land at Ocean Beach Site Wellington Road, Rhyl to provide a mixed use development including residential apartments, hotel, assembly and leisure, business, retail, cafes, restaurants and public houses, car parking, new public realm and ancillary uses together with associated highways and other works including wind turbines and potential PV solar installations.

TOWN AND COUNTRY PLANNING ACT 1990

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NOTICE IS HEREBY GIVEN that the Welsh Ministers propose to make an Order under section 247 of the Town and Country Planning Act 1990 to authorise the stopping up of the area of highway described in Schedule 1 to this Notice and the provision of a new area of highway described in Schedule 2.

If the Order is made, the stopping up will be authorised only in order to enable the development described in Schedule 3 of this Notice to be carried out in accordance with planning permission granted by Denbighshire County Council on 27 November 2007 under reference 45/2006/1200/PF. The Order will cease to have effect if the planning permission expires or is revoked.

During the 28 days from 12 March 2008, copies of the Order and the deposited map may be inspected free of charge at Rhyl Library, Church Street, Rhyl, Denbighshire LL18 3AA during normal business hours or may be obtained free of charge from the address below quoting the Welsh Assembly Government reference CZ510-5-15-qA184147/1.

Within the above mentioned period of 28 days, any person may, by notice to the Welsh Assembly Government, Transport Wales, Orders Branch, Cathays Park, Cardiff, CF10 3NQ (quoting reference CZ510-5-15-qA184147/1), object to the making of the Order. Should you wish to object, support or make representations, we may need to consult with people and organisations outside of the Welsh Assembly Government. As part of the process of consulting with others, the information you have given us and your personal data will be passed to the applicant/developer and on occasion the local highway authority to enable them to respond to you. We will however, only disclose your personal details where it is necessary to do so to enable us to deal with issues you have brought to our attention. Where a stopping up Order becomes the subject of a Public Inquiry (PI), all correspondence is copied to the Inspector of the Inquiry and is kept in the PI Library when it is publicly available.

A copy of the Order and Notice can be viewed at the Welsh Assembly Government's website at www.wales.gov.uk/index.htm (Select Legislation / Draft Legislation / Draft Non-Statutory Instruments / TCPA Stopping Up Orders).

A copy of this Notice in larger print can be obtained from the Welsh Assembly Government, Transport Wales, Orders Branch, Cathays Park, Cardiff CF10 3NQ.

M D BURNELL

Transport Planning and Administration Division
Welsh Assembly Government

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